

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

NATIONAL COLLEGIATE ATHLETIC
ASSOCIATION STUDENT – ATHLETE
CONCUSSION INJURY LITIGATION, ET AL

Plaintiffs,

V.

Case No.: 1:13-cv-09116
Honorable John Z. Lee

NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

Defendant.

**PLAINTIFF JULIUS WHITTIER'S MOTION FOR LEAVE TO FILE
OBJECTIONS TO THE PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF SETTLEMENT CLASS**

Comes Now, Julius Whittier, Plaintiff and Putative Class Member, in the above-referenced cause and files this his Motion for Leave to File Objections to the Plaintiff's Joint Motion for Preliminary Approval of Settlement Class, and in support thereof, would show the Court as follows:

On or about April 17, 2015, the Court entered a Minute Order after oral hearing on Plaintiff's Joint Motion for Preliminary Approval of Settlement Class granting the Nichols Plaintiffs' Motion for Leave to File Objections to the Plaintiff's Joint Motion for Preliminary Approval of Settlement Class.

At the hearing, the Court asked for argument from Nichols' counsel regarding the late filed (in reference to the hearing) Plaintiff's Joint Motion for Preliminary Approval of Settlement Class. Counsel for Plaintiff Julius Whittier was not asked by the Court to offer argument on said Motion by the Plaintiffs. However, had

counsel for Plaintiff Whittier been requested at the hearing to state his position on the Plaintiff's Joint Motion for Preliminary Approval of the Settlement Class, Plaintiff Whittier would have objected at the hearing and his counsel would have offered argument in opposition to said Motion.

Because counsel for Plaintiff Whittier was not asked at the hearing to lodge Plaintiff Whittier's objection to Plaintiff's Joint Motion for Preliminary Approval of Settlement Class, Counsel for Plaintiff Whittier assumed that the granting of the Motion for Leave to Plaintiff Nichols applied to Plaintiff Whittier as well. However, after review of the Minute Order of April 17, 2015, the specific relief granted was to Plaintiff Nichols. For that reason, Plaintiff Whittier would request that the Court grant him leave to file a formal written objection to the Plaintiff's Joint Motion for Preliminary Approval of Settlement Class within the time specified by the Court in its Minute Order of April 17, 2015 granting such relief to the Plaintiff Nichols.

WHEREFORE, Plaintiff Julius Whittier, requests that the Court grant his Motion for Leave to File Objections to the Plaintiff's Joint Motion for Preliminary approval of Settlement Class and for any and all other relief, both in law and in equity to which he shows himself justly entitled.

Date: April 22, 2015.

Respectfully submitted,

/s/ Dwight E. Jefferson

By: _____
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**ATTORNEY FOR CLASS-
PLAINTIFF MILDRED
WHITTIER, A/N/F, JULIUS
WHITTIER**

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed electronically via CM/ECF, which caused notice to be sent to all counsel of record on this 22nd day of April, 2015.

/s/ Dwight E. Jefferson

By: _____